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1977-1979

PUBLIC DEFENDER
OF LOS ANGELES COUNTY

BIENNIAL REPORT
1977/78 - 1978/79

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PUBLIC DEFENDER

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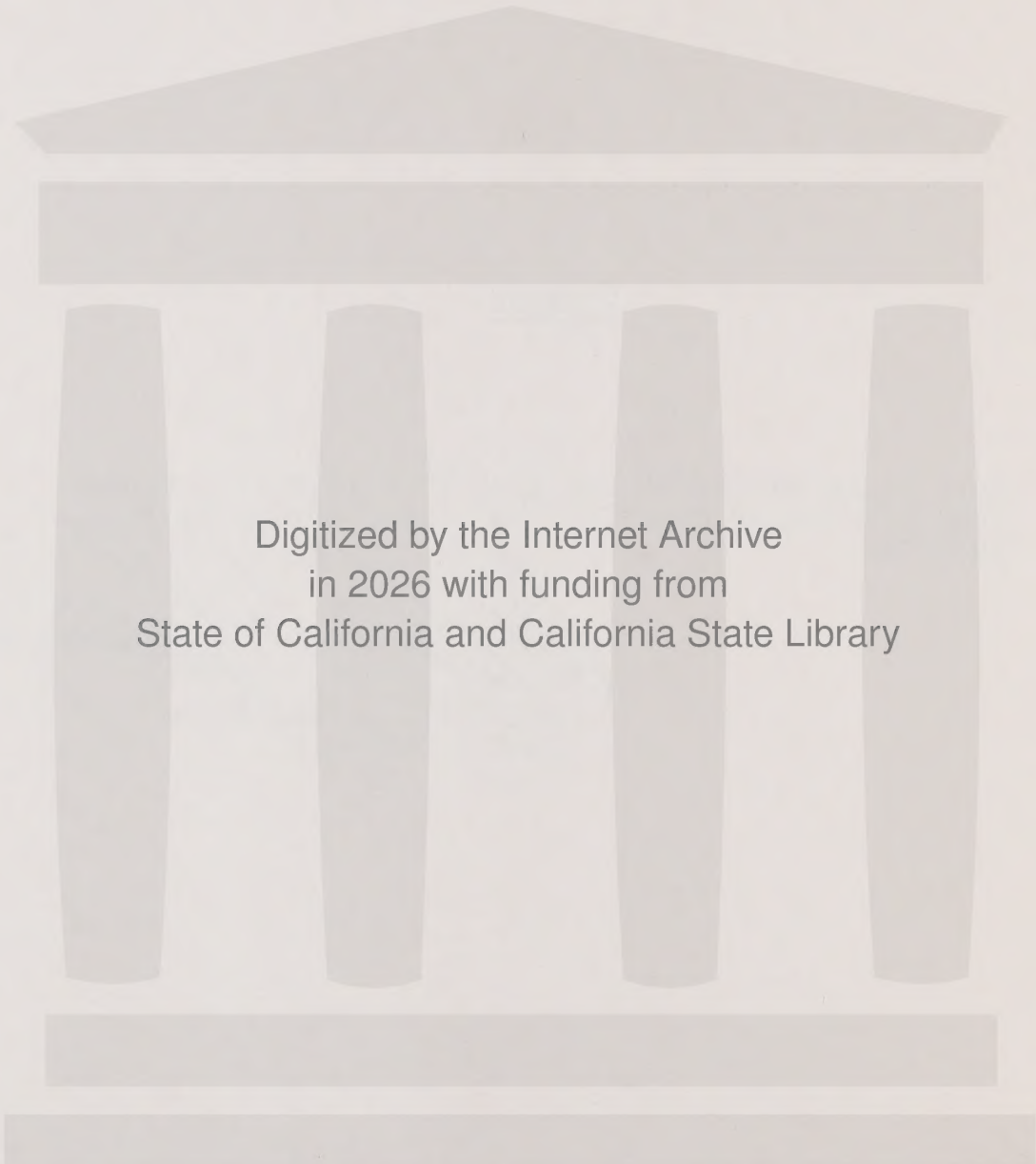

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BIENNIAL REPORT 1977/78 - 1978/79

The Public Defender provides legal representation to all persons, including juveniles, who are financially unable to furnish counsel for court proceedings. Services include representation in criminal, juvenile, mental health and civil proceedings. The legal authorization for the Public Defender operation is provided in Government Code Sections 27700-27711, and County Charter Article IV Section 14 and Article VI Section 23.

In 1978/79, the Public Defender provided services to a County court system consisting of approximately 265.5 courts involved in criminal proceedings and other civil courts, as well as appellate services to the State court system. These services were provided from 40 Public Defender office locations.

County Courts Serviced		Number
Superior		100.5
Adult	69.5	
Juvenile	29	
Mental Health	2	
Municipal		164
Justice		1
	Total	265.5

Direct Budget Expenditures, Staffing and Workload for the report period 1977/78 - 1978/79 are summarized:

Budget Expenditures, Staffing and Workload

1977/78 - 1978/79

Item	1977/78	1978/79
Budget Expenditures	$15,889,390	$15,903,523
Staffing	568.8	538.8
Workload		
Case/Proceedings	222,687	202,724
Investigations	11,319	10,358

Workload Trends

Since 1975/76 the Public Defender workload has declined in almost direct proportion to the decrease in attorney staff. In 1977/78 there was an overall decrease of 19,309 case/proceedings from 1976/77.

The workload in Misdemeanor Arraignment/Trials and Misdemeanor Arraignment/Trials - Traffic combined for a decrease of 16,194 case/proceedings for this period. The decrease in case/proceedings in the Municipal Court area was the result of the continuing effect of the attorney staff reductions experienced in 1976/77.

The overall workload continued to decline in 1978/79 with a decrease of 19,963 case/proceedings. Although the workload declined in most reporting areas, the decrease in workload in Misdemeanor Arraignment/Trials of 7,716 case/proceedings and Juvenile petitions of 5,300 case/proceedings represented approximately 65% of the decrease.

One of the primary reasons for the decreased workload in these and other selected areas was caused by the loss of attorney positions as the result of Proposition 13 staff reductions.

Economic Impact of Current Budget Reductions

In June 1978, the California electorate approved the passage of the Jarvis-Gann Tax Limitation Initiative, Proposition 13, which sharply curtailed County expenditures and general operations. The Public Defender staff reduction in 1978/79 was 30.0 positions, 28.0 of which were attorneys.

Although the Department maintained the same number of offices as before the passage of Proposition 13, services were curtailed due to attorney staff reductions. The reduction of services provided by the Public Defender resulted in increased cost to the County by the Court appointment of private counsel.

At times during 1978/79, attorney resignations increased from a normal 3 per month to a high of 7 per month.

Staffing Reductions

Since 1975/76 attorney staffing has been reduced from 412 positions to 363 in 1978/79 - a reduction of 49 attorneys. The first reduction of 21.0 positions was

in 1976/77 in line with a County-wide staff reduction program. The reduction of an additional 28.0 attorney positions in 1978/79 was the result of the passage of Proposition 13 and required budgetary reductions.

Because of the cost of Court appointed private counsel, the County restored 27 attorney positions in the 1979/80 budget.

Attorney Workload Study

In 1978/79 the Institute On Law And Social Research (INSLAW) began a District Attorney and Public Defender attorney workload study in cooperation with the Chief Administrative Office. The study is still in process.

The general objective of the study is to develop workload data which will assist the Department and the Chief Administrative Office in estimating attorney staffing requirements.

Violent Offenders Project for Defense Attorneys

In 1978/79 the Department initiated a violent offenders training project for defense attorneys utilizing Law Enforcement Assistance Administration (LEAA) grant funds. Biweekly training programs are presented by experts in the field of violent offenders with emphasis on subjects where there is limited published material or where research is complex and difficult.

The objective of this training program is to increase the skill of defense attorneys and thereby contribute to decreasing the delay in processing cases.

SUMMARY OF

BUDGET EXPENDITURES, STAFFING AND WORKLOAD

1973/74 - 1978/79

					------Report Period------	
Budget Expenses	1973/74	1974/75	1975/76	1976/77	1977/78	1978/79
Salaries	$11,369,302	$12,330,564	$13,769,393	$14,319,900	$15,473,351	$15,472,232
Services & Supplies	324,806	362,659	391,230	339,596	415,569	431,004
Equipment	11,280	8,584	17,863	472	470	286
Total	$11,705,388	$12,701,807	$14,178,486	$14,659,968	$15,889,390	$15,903,522
Staffing	558.5	575.5	593.8	570.8	568.8	538.8
Workload						
Case/Proceedings	232,132	247,220	260,257	241,996	222,687	202,724
Investigations	19,387	20,192	16,464	12,453	11,319	10,358

------Report Period------

Note: Revenue

Revenue is not credited directly to the Public Defender budget. However, it is credited to the County by the Auditor-Controller. The source of revenue is primarily based on a 10% reimbursement by the State for local criminal defense activities from available State monies. However, the percentage received is substantially below that authorized. Such reimbursement is based on Public Defender activity and County-paid expenses for assigned counsel appointed by the Superior and Municipal Courts. Revenue received: 1973/74 - $362,969, 1974/75 - $320,840, 1975/76 - $348,318, 1976/77 $352,548, 1977/78 - $363,144, 1978/79 - $476,534.

CASE/PROCEEDINGS WORKLOAD BY TYPE

1973/74 - 1978/79

Case/Proceedings	1973/74	1974/75	1975/76	1976/77	Report Period 1977/78	Report Period 1978/79
Felony						
Arraignments/Prelim. Hrgs.	22,004	21,869	19,329	19,233	17,821	17,340
Arraignments/Trials Sup. Ct.	15,690	15,743	14,924	13,920	14,144	12,533
Narcotic Diversion - Sup. Ct.	83	25	3	8	5	1
Probation Violations - Sup. Ct.	9,244	10,399	9,301	8,540	8,784	7,994
Appeals - Ct. of App./Supreme [1]	492	451	449	465	547	362
Rehabilitation - Sup. Ct.[1]	123	75	65	61	103	70
Diversion Prog. Rep. - Sup. Ct.	96	135	77	93	77	93
Misdemeanor						
Arraignments/Trials	89,172	100,249	105,259	87,186	80,749	73,033
Arraignments/Trials - Traffic	57,208	64,033	72,880	72,320	62,563	56,825
Narcotic Diversion - Mun. Ct.	442	228	172	114	164	219
Appeals - Sup. Ct.[1]	367	403	371	433	309	272
Probation Violations - Muni. Cts.	-	11	16	8	342	1,923
Diversion Prog. Rep. - Mun. Cts.	32	61	15	12	411	1,490
Juvenile						
Petitions - Sup. Ct.	25,062	19,846	22,648	25,471	22,232	16,932
Other						
Civil - Sup./Mun. Cts.[1]	4,992	5,122	4,663	3,374	2,417	2,106
Conservatorship - Sup. Ct.	1,903	2,193	2,556	2,745	3,268	4,419
Conservatorship Acct. - Sup. Ct.	343	1,041	1,015	768	1,093	953
Fugitive Warrants - Mun. Ct.	615	740	770	838	854	933
Mental Health - Sup. Ct.	1,324	1,598	2,071	3,203	4,218	2,735
Misc. - Sup./Mun./Just. Cts.	2,048	2,289	3,019	2,627	2,208	2,265
Narcotic Referrals - Sup. Cts.	892	709	654	577	378	226
Total	232,132	247,220	260,257	241,996	222,687	202,724

Note:
1 - See following pages for additional data.

APPELLATE WORKLOAD BY TYPE OF PROCESS

1973/74 - 1978/79

Proceeding	1973/74	1974/75	1975/76	1976/77	1977/78 (Report Period)	1978/79 (Report Period)
Felony Appeals - Court of Appeals/ Cal. Supreme	492	451	449	465	547	362
Misd. Appeals/ Sup. Ct.	367	403	371	433	309	272
Total	859	854	820	898	856	634

Appellate Division

The Appellate Division prosecutes appeals to a higher court when it is reasonably expected to result in the reversal or modification of the judgment of conviction.

CIVIL WORKLOAD BY TYPE OF PROCESS

1973/74 - 1978/79

Proceeding	1973/74	1974/75	1975/76	1976/77	Report Period 1977/78	Report Period 1978/79
Accepted Cases	593	488	441	268	159	45
Advice	3,230	3,637	3,423	2,597	1,773	1,321
Divorce Contempts	295	376	395	335	371	690
Referrals to Private Attorneys, etc.	874	621	404	174	114	50
Total	4,992	5,122	4,663	3,374	2,417	2,106

Civil Division

The Civil Division represents claimants financially unable to employ counsel in civil cases where the sum involved does not exceed $100. It also defends persons who are financially unable to employ counsel in civil litigations in which the persons are being persecuted or unjustly harassed.

The civil workload is restricted to the Los Angeles Civic Center Office because of insufficient staffing. Civil inquiries received by branch offices are referred to local Bar or Legal Aid Associations.

INVESTIGATION WORKLOAD BY TYPE

1973/74 - 1978/79

Type of Investigation	1973/74	1974/75	1975/76	1976/77	1977/78	1978/79
					Report Period	
Conservatorship Acctg. Audit	404	947	1,014	1,093	1,188	1,271
Felony	7,128	7,238	6,281	4,971	4,497	3,973
Juvenile	3,520	3,622	2,783	2,048	1,802	1,792
Misc. Felony and Civil	748	770	409	430	406	405
Misdemeanor	4,922	5,674	4,680	2,998	2,941	2,591
Other Inquiries/ Investigations	2,665	1,941	1,297	913	485	326
Total[1]	19,387	20,192	16,464	12,453	11,319	10,358
					Report Period	

Investigation Section

The Investigation Section performs investigative work for adult and juvenile cases. At present, the majority of staffing is allocated to performing felony investigations. The workload listed in the table for Other Inquiries/Investigations involves principally, data collection activities which require a minimum amount of time.

Notes:

1 - Revised method of statistical computation for 1975/76.

REHABILITATION WORKLOAD BY TYPE OF PROCESS

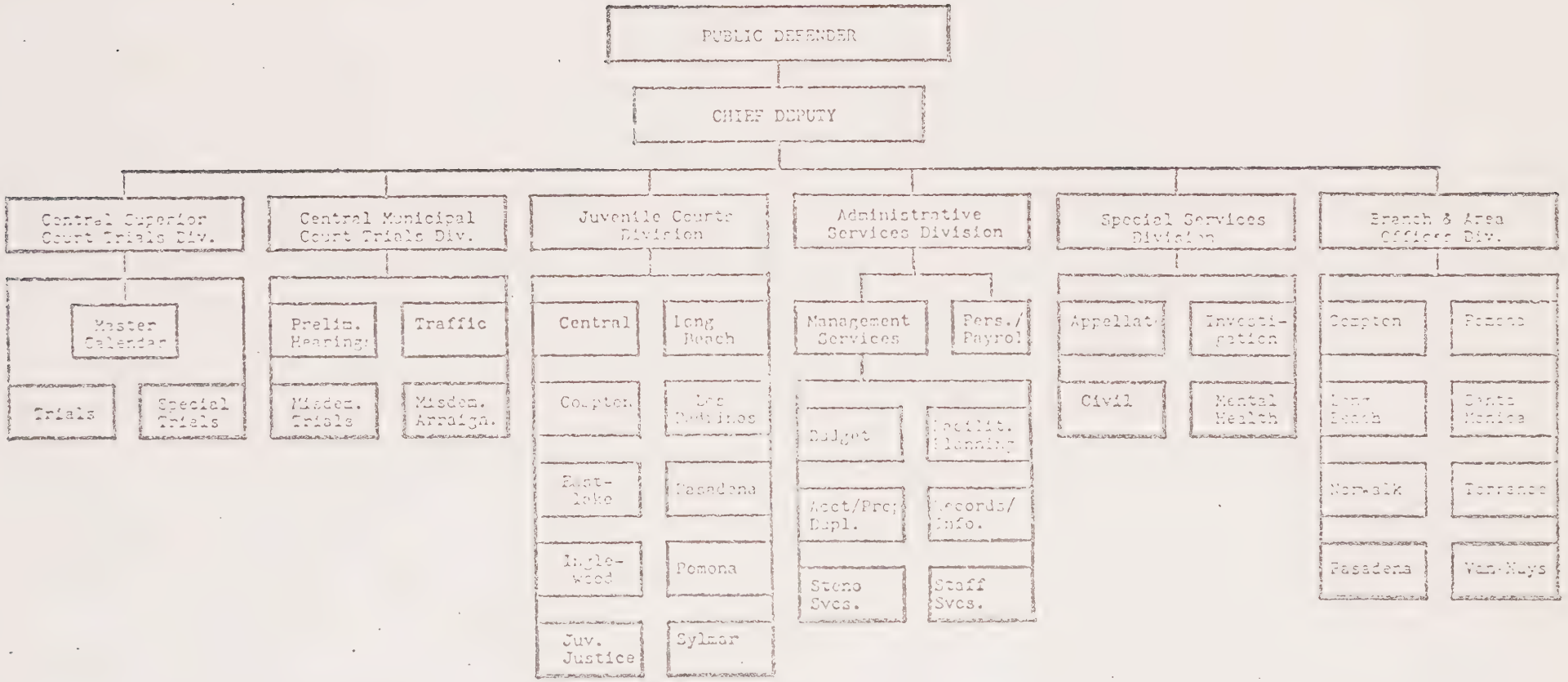
1973/74 - 1978/79

Proceeding	1973/74	1974/75	1975/76	1976/77	1977/78	1978/79
					Report Period	
New Cases - Felony	123	75	65	61	103	70
Certificates Granted	25	4	58	65	57	44
Closed Cases Other Than Certificates Granted	28	26	15	266	16	106
					Report Period	

Rehabilitation

Sections 4852.01 - 4852.21 of the Penal Code provide procedures for a felony defendant to obtain a Certificate of Rehabilitation and application for Pardon. The Public Defender is required under this section, to provide assistance to a defendant in obtaining the Certificate of Rehabilitation which is processed in the Superior Court.

ORGANIZATION CHART



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